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9 Attorneys for Plaintiff Rajendra Mehta

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 RAJENDRA MEHTA,

13 Plaintiff,

14 vs.

15 OUT OF THE BOX ENTERPRISES,  
16 LLC, a Texas Limited Liability  
17 Company,

18 Defendant.

Case No.: 5:16-cv-00107-VAP-DTB

**REQUEST TO ENTER DEFAULT**

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT.

2 Plaintiff Rajendra Mehta hereby requests that the Clerk enter default in  
3 this matter against Defendant Out of the Box Enterprises, LLC on the grounds  
4 that said defendant has failed to appear or otherwise respond to the Complaint  
5 within the time prescribed by the Federal Rules of Civil Procedure. Plaintiff  
6 served the Complaint on January 28, 2016. Affidavit of Service, Doc. 7.

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8 DATED: March 29, 2016

SPILLANE TRIAL GROUP PLC

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By: \_\_\_\_\_

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Jay M. Spillane  
Attorneys for Plaintiff Rajendra Mehta

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**PROOF OF SERVICE**

1. At the time of service I was over 18 years of age and not a party to this action. My business address is: Spillane Trial Group PLC, 468 N. Camden Drive, Second Floor, Beverly Hills, CA 90210-4507.

2. On March 29, 2016 I served the following document(s):

**REQUEST TO ENTER DEFAULT**

3. I served these documents on the following person(s):

Out of the Box Enterprises, LLC  
301 Congress Avenue Suite 300  
Austin TX 78701-2949  
Att'n: William Hemphill

4. The document(s) in item 2 were served by the following means:

**X By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 3 and (*specify one*):

☐ (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

☐ (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed as indicated above at Sherman Oaks, CA.

☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 3. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 3. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

☐ **By electronic service.** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in item 3.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 29, 2016



Jessie Gietl